

<b>Applicant</b>	Robert Ader	
<b>Request</b>	Site Plan Level III Approval/Parking Reduction	
<b>Location</b>	2925 East Commercial Blvd	
<b>Legal Description</b>	Coral Ridge Commercial Blvd Add. P.B. 43 P. 13 Block 3, Lot 9	
<b>Property Size</b>	3,500 sq. ft. or .08 acres	
<b>Zoning</b>	CB (Community Business)	
<b>Existing Land Use</b>	Restaurant / Bar	
<b>Future Land Use Designation</b>	Commercial	
<b>Comprehensive Plan Consistency</b>	Consistent	
<b>Other Required Approvals</b>	None	
<b>Applicable ULDR Sections</b>	47-6 Business Zoning Districts 47-20 Parking and Loading Zone Requirements	
<b>Setbacks/Yards</b>	<b>Required</b>	<b>Proposed</b>
	Front (s) 5' Minimum	None (existing building)
	Rear (n) None	None
	Side (e) None	None
	Side (w) None	None
<b>Lot Density</b>	N/A	N/A
<b>Lot Size</b>	None	3,500 S.F.
<b>Lot Width</b>	None	35'
<b>Building Height</b>	150' Maximum	N/A
<b>Structure Length</b>	N/A	N/A
<b>Floor Area</b>	None	2,030 S.F.
<b>VUA Landscaping</b>	20%	None No VUA on site
<b>Landscaping Lot Coverage</b>	N/A	N/A
<b>Open Space</b>	N/A	N/A
<b>Parking</b>	19	None
<b>Notification Requirements</b>	Sign Notice	
<b>Action Required</b>	Approve, Approve with Conditions, or Deny the Parking Reduction	
<b>Project Planner</b>	<b>Name and Title</b>	<b>Initials</b>
	Kevin Erwin, Planner I	
	Chris Barton, AICP, RLA, Principal Planner	
	Bruce Chatterton, AICP, Planning and Zoning Services Manager	

## **Request:**

The applicant is seeking a parking reduction pursuant to Sec 47-20.3.A.5. The existing use of the property is a Restaurant/Bar. Eighteen (18) parking spaces are required for the current use according to the site plan submitted by the applicant and dated July 20, 1990. The parking requirement is currently being satisfied through previous approvals by ten (10) spaces provided through an off street parking agreement and nine (9) spaces available at the metered parking in front of the building. The applicant would like to terminate the off street parking agreement in order to free that site for future development. The applicant is seeking a 100% parking reduction, as no spaces will be provided on site.

The property is located in a commercial area immediately north of Commercial Blvd. and east of Bayview Drive. The majority of the businesses operate with little or no on site parking due to the proximity of three hundred and seventy three (373) metered and non-metered public parking spaces.

In accordance with ULDR Sec. 47-20.3.A.5, the request is based on criteria a, b, c, d, e and h. The applicant's response is as follows and is detailed in the submitted Parking Reduction Narrative (**Exhibit 1**):

**a. *Adequacy requirements as provided in Sec 47-25.2:***

The adequacy requirements set forth in the Code are used by the City to evaluate the demand on public services and facilities created by a proposed development permit. There is no new development contemplated on the subject parcel and therefore no development permits are being applied for – all facilities have been in existence for many years and will remain unchanged by this application.

**b. *The use, site structure or any combination of same, evidences characteristics which support a determination that the need for parking for the development is less than that required by the ULDR for similar uses:***

As the parking study evidences, the need for parking for The Shark is much less than required by City Code. City Code requires approximately 25 spaces for this parcel (1 parking space for every 100 square feet of gross floor area), while actual demand during the **peak period** (between 11:00 AM and 1:00 PM) was 4 parking spaces.

**c. *There is a public parking facility within seven hundred (700) feet of the parcel which the parking is intended to serve along a safe pedestrian path as defined by Sec. 47-20.4, which spaces may be used to provide parking for the applicant's property without conflict with the need for public parking based on a report by the Department which includes a report by the City's Parking Manager and City Engineer.***

There are public metered and non-metered parking spaces along the north side of Commercial Boulevard which provide ample parking within 700 feet of The Shark during average peak season conditions, as further explained in the parking study. To our knowledge, there have not been any studies completed by the City's Parking Manager/Engineer for this area.

- d. *If the application is based on two (2) or more different users sharing the same parking spaces at different hours, that the peak hour(s) for each use will be at different hours.*

The public parking lot located in front of The Shark is shared by the several businesses located within the plaza, which include office, retail, restaurant, and bank uses. The peak parking demand for the plaza generally occurs between 11:00 AM and 1:00 PM on Thursday and Friday. The maximum number of parking spaces occupied during the peak time period by patrons of The Shark was 4, and the least number of spaces available in the study area (as defined in the parking study) was 64.

- e. *If the application is based on two or more different users sharing the same parking spaces at the same time because one use derives a portion of its customers as walk-in traffic from the other use, that the two or more uses will share the same users.*

As noted in the parking study, the field observation of the site revealed that the few employees of The Shark carpool or use public transit, and that many patrons simply walk to the facility from the nearby offices and businesses.

- h. *In addition to the criteria provided above, that any alternative parking arrangement proposed will be adequate to meet the needs of the use the parking will serve and that reducing the required parking will be compatible with and not adversely impact the character and integrity of surrounding properties.*

The parking available in front of the plaza in which The Shark is located is more than adequate to meet the needs of The Shark. Permitting the reduction and therefore the termination of the parking agreement will be compatible with, and will not adversely impact the character and integrity of the surrounding properties because the burdened parcel is not and has not ever been used for parking by the employees or patrons of The Shark.

### **Staff Determination:**

The City's Parking Division Manager stated in his DRC comments of November 25, 2003, that "the applicant has demonstrated available surplus parking in the study area." A review of the request indicates that there is adequate public metered parking within seven hundred feet (700') of the site. The City's DRC Engineering representative concurs with this report as well as the Parking Study prepared by Carter and Burgess, Inc. traffic engineers for the applicant. The City's consultant also believes that the study supports the requested parking reduction

**Prior Reviews:**

This proposal was reviewed by the Development Review Committee on November 25, 2003 and all comments have been addressed.

**Planning and Zoning Board Review Options:**

- If the Planning and Zoning Board determines that the proposed request meets the standards and requirements of the ULDR for parking reductions and site plan level III review, the Board shall approve or approve with conditions necessary to ensure compliance.
- If the Planning and Zoning Board determines that the proposed request does not meet the standards and requirements of the ULDR for parking reductions and site plan level III, the Board shall deny the request.

Should the Parking Reduction request be granted, the following conditions shall apply:

1. A Parking Reduction Order must be executed and recorded in the public records of Broward County at the applicant's expense prior to Final DRC.
2. Final Development Review Committee approval.